

Application Serial No. 10/560,441
Amendment Dated July 29, 2010
Reply to Office Action of April 15, 2010

REMARKS/ARGUMENTS

Claims 1, 6-18, 20-30, 40 and 42-51 are pending in this application, with Claims 1, 40, 46 and 51 independent. By this Amendment, the independent Claims 1, 40, 46 and 51 are amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claims 1, 40, 46 and 51 have been amended for clarity and to expressly set forth that the substantially rigid flange, the substantially rigid outer flange and the web are of a rigid plastic material that is not user conformable or moldable in boiling water. Support for this amendment is found in the original application, for example, in original Claim 26 and Page 13, Lines 13-17 and 25-32 of the specification. Accordingly, no new matter is added.

EXAMINER INTERVIEW

Applicant thanks the Examiner for his courtesies extended to the Applicant's representative, Michael Cornelison, during the July 20, 2010 and July 27, 2010 telephonic interviews. During the interviews, an agreement was reached and confirmed by the Examiner's Supervisory Patent Examiner, Patricia Bianco, that an amendment to the independent claims clarifying that the substantially rigid inner flange, the substantially rigid outer flange and the web are of a rigid plastic material that is not user conformable or moldable in boiling water distinguishes over the references and renders the claims allowable.

CLAIM REJECTIONS

Claims 1, 10, 13, 14, 17, 20, 21, 25-29, 40, 42-45 and 51 stand rejected under 35 U.S.C. §102(b) over Kittelsen, et al. (U.S. Patent No. 6,691,710, also referred to as Kittelsen '710). Claims 6-8, 15, 16 and 30 stand rejected under 35 U.S.C. §103(a) over Kittelsen, et al. '710 in 520947_1

Application Serial No. 10/560,441
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view of Kittlesen, et al. (U.S. Patent No. 5,152,301, also referred to at Kittlesen '301). Claims 9, 12 and 46-50 stand rejected under 35 U.S.C. §103(a) over Kittlesen '710 in view of Kittlesen '301 and further in view of Adell (U.S. Patent No. 4,955,393). Lastly, Claims 11, 18 and 22-24 stand rejected under 35 U.S.C. §103(a) over Kittlesen '710. These rejections are respectfully traversed for at least the reasons set forth below.

As agreed to during the interviews and confirmed by the Examiner's supervisor, none of the references disclose or teach the features of the independent claims, including the substantially rigid inner flange, the substantially rigid outer flange and the web being of a rigid plastic material that is not user conformable or moldable in boiling water. As further agreed, this feature teaches away from Kittlesen '710. Therefore, the amended independent Claims 1, 40, 46 and 51 are allowable over the prior art. In addition, Claims 6-18, 20-30, 42-45 and 47-50 are also agreed upon as being in condition for allowance, at least because of their dependencies, each to one of the independent Claims 1, 40 and 46. Withdrawal of the rejections of the claims is respectfully requested.

CONCLUSION

For at least the reasons set forth above, it is respectfully submitted that the above-identified application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully requested.

Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below to expedite prosecution of the application.

Application Serial No. 10/560,441
Amendment Dated July 29, 2010
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Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
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July 29, 2010

Please charge or credit our Account
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entry and/or ensure consideration of
this submission.

By 

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CERTIFICATE OF MAILING/TRANSMISSION PURSUANT TO 37 CFR 1.8

I hereby certify that this correspondence and any attachments referenced therein is/are being mailed/transmitted to the USPTO by: (A) first class U.S. mail with sufficient postage (37 CFR § 1.1(a)); (B) facsimile (37 CFR § 1.6 (d)); or (C) EFS-Web (37 CFR § 1.6(a)(4)) on the date shown below.

Date: July 29, 2010

Signature: 

Name:

Michael J. Cornelison